

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Shawn Simmons,

Petitioner,

v.

Civil No. 08-405 (JNE/AJB)  
ORDER

Dwight L. Fondren, Warden,

Respondent.

Petitioner filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241. In a Report and Recommendation dated October 10, 2008, the Honorable Arthur J. Boylan, United States Magistrate Judge, recommended that the petition be denied and that this action be dismissed with prejudice. Petitioner objected to the Report and Recommendation. The Court has conducted a de novo review of the record. *See* D. Minn. LR 72.2(b). Based on that review, the Court adopts the Report and Recommendation. Therefore, IT IS ORDERED THAT:

1. Petitioner's Petition for Writ of Habeas Corpus [Docket No. 1] is DENIED.
2. This action is DISMISSED WITH PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 5, 2008

s/ Joan N. Ericksen  
JOAN N. ERICKSEN  
United States District Judge